

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
CINCINNATI DIVISION

IN RE: : CASE NO. 16-13395  
Aaron M Greenberg : CHAPTER 13  
and : JUDGE Jeffrey P. Hopkins  
Breanne EB Greenberg :  
Debtors :

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**MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND  
NOTICE**

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The Debtors hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

**MEMORANDUM IN SUPPORT**

1. A plan has been confirmed.
2. Date petition filed: 9/7/16 Date of last modification: n/a
3. Date plan confirmed: 10/27/16 Date last modification confirmed: n/a
4. Length of Plan (months): Current: 62 Proposed: 60
5. Monthly Plan Payments: Current: \$531.00 Proposed: \$1816.00
6. Percent to Unsecured Creditors: Current: 1% Proposed: 1%
7. Reason for the modification, including any changes in circumstances since last plan:  
Debtors have become delinquent on their post-petition mortgage payments. Debtors' request a modification of their Chapter 13 Plan to allow for the post-petition arrearage in the amount of \$5,862.85 to be included into the plan. Additionally, Debtors shall resume their ongoing monthly mortgage payments as of June 2018 to be paid via conduit through the Chapter 13 Trustee in the monthly amount of \$1038.94

**Attached is a list of the affected Creditors, applicable plan paragraphs affected and proposed new plan treatment.**

WHEREFORE, debtors move the Court to allow modification of debtors' plan as set forth herein.

Respectfully submitted,

/s/ Norman L. Slutsky  
Norman L Slutsky  
(Attorney Reg: 0022292)  
10979 Reed Hartman Hwy,  
Suite 212  
Cincinnati, OH 45242  
(513) 793-5560  
[nslutsky@fuse.net](mailto:nslutsky@fuse.net)

**NOTICE OF MOTION/OBJECTION**

The Debtors has filed papers with the court to obtain a modification of their Chapter 13 Plan. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to grant the relief sought in the motion/objection, then on or before twenty-one (21) days from the date set forth in the certificate of service for the motion/objection, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to:

U.S. Bankruptcy Court  
Atrium II, Suite 800  
221 East 4th Street  
Cincinnati, OH 45202

OR your attorney must file a response using the court's ECF System. The court must receive your response on or before the above date. You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

Norman L. Slutsky  
Attorney for Debtors  
10979 Reed Hartman Hwy, Suite 212  
Cincinnati, OH 45242

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further hearing or notice.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion to Modify was served on the parties listed below by ordinary U.S. Mail or served electronically through the Court's ECF System at the e-mail address registered with the Court on this\_\_15th\_\_ day of \_\_June\_\_\_\_\_, 2018.

/s/ Norman L. Slutsky  
Norman L Slutsky  
(Attorney Reg: 0022292)

Served Electronically via ECF:

Margaret A. Burks, Esq.  
Chapter 13 Trustee  
Cincinnati@cinn13.org

U.S. Trustee  
Ustpreion09.ci.ecf@usdoj.gov

Adam Bradly Hall  
Attorney for JPMorgan Chase Bank, NA  
amps@manleydeas.com

Served by Regular U.S. Mail:

Aaron and Breanne Greenberg  
633 Glensprings Dr.  
Cincinnati, OH 45246

MIDFIRST BANK  
ATTN: BANKRUPTCY DEPT  
999 NW GRAND BLVD.STE 100  
OKLAHOMA CITY, OK 73118

**MODIFICATION OF CHAPTER 13 PLAN**

Debtor GREENBERG

Case no. 16-13395

[List only creditors affected by modification]

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Creditor name: JPMorgan Chase Bank, National Association

Type of Claim: (X secured (\_\_\_\_) unsecured (\_\_\_\_) 507 priority (\_\_\_\_) other

Nature of Claim: Mortgage on Residential Real Estate

Current Plan: Debtors' plan was confirmed with debtor paying their ongoing monthly mortgage payment directly as they were current at the time of filing.

Proposed Plan: Debtors' now modify their plan to include post-petition mortgage arrearages and continue to pay their ongoing monthly plan payments via conduit.

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